

actualize the intermediate state;
determining if a certain winning combination had been reached;
randomly drawing again all cards if the certain winning combination had been reached;
determining again if the game time has ended if the certain winning combination had not been reached.

REMARKS

Claims 1 through 8 continue to be in the case.

The amendments to the specification are based on Figs. 1 and 2. The amendment in the specification on Page 8, line 16, after "8", is in part based on claim 1, line 5 as originally filed. The amendment in the specification on page 16, line 8, is provided for clarifying the operation of the flow diagram of Fig. 6.

Claim 3 is being amended.

Applicant's attorney thanks the Examiners Dolores R. Collins and Benjamin Layno for the personal interview kindly granted on August 29, 2000. The courtesies exchanged during the interview are very much appreciated.

The first Office Action refers to the Drawings.

1. The drawings stand objected to as failing to comply with 37 CFR 1.84(p)(5), because they include the following reference sign(s) not mentioned in the description: Reference character " 15 " is shown in Fig. 1 but not mentioned in the specification. Reference characters " 14 ", " 16 ", " 17 ", " 18 ", " 19 " and " 23 " are shown in figure 2 but not mentioned in the specification.

Correction is required.

Applicant is correcting the specification on pages 8 and 9 in this amendment in order to mention the reference characters " 14 ", " 16 ", " 17 ", " 18 ", " 19 " and " 23 " in the specification.

Examiner acknowledges in the final rejection applicant's representative's indication that a separate supplemental response which addresses the drawings will be filed at a later date.

Such supplemental response had been prepared by the Applicant, but as the undersigned attorney was under the impression based on the personal interview of August 29, 2000 that a further Office Action in response to applicant's

Amendment filed August 24, 2000 would not be issued earlier than a month after the personal interview. However the Final Rejection issued on September 15, 2000 did cut short this time and an already prepared Supplemental Amendment could no longer be submitted.

1. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the Examiner.

Applicant believes that the amendments now made to the specification obviate a necessity for any drawing changes.

The Office Action refers to the Specification.

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

An Abstract of the Disclosure is attached to the present submission.

The Office Action refers to Claim Rejections

- 35 U.S. C § 102.

3. Claims 1-8 stand rejected under 35 U.S.C. 102(e) as being clearly anticipated by Vancura. Vancura discloses Gaming Machines with Bonusing. In his game he teaches the playing of a bonus game in a secondary machine adjacent to a primary machine. Vancura's invention substantially teaches the limitations as claimed.

Vancura teaches according to the Final Rejection: Referring to Claim 1, 3 & 7 that the primary machine acts as a traditional slot machine (col. 18, lines 22-24) that the primary gaming machine can be a suitable gaming machine, such as, slot, poker, keno etc.; and the accumulating of winnings in an award meter (col. 17, lines 44-54).

Claim 1 of the present application requires the step of: "substituting a symbol by another randomly determined symbol;". No such step is seen in the Vancura reference.

Claim 1 of the present application further requires the step of: "renewing the symbols within a predetermined time window until a winning carrying symbol combination is reached;" No such step of claim 1 is alleged to be or seen in the reference Vancura.

Claim 3 requires amongst others the following seven steps:

"determining if the depressed key is a hand out key or a hold key in case a key had been depressed;",

"randomly drawing cards not being held in case the hand out key had been depressed;"

"holding cards in case the hold key had [beewn] been depressed;"

"actualize the intermediate state;"

"determining if a certain winning combination had been reached;"

"randomly drawing again all cards if the certain winning combination had been reached;"

"determining again if the game time has ended if the certain winning combination had not been reached".

The Office Action does not allege that these steps are present in the Vancura reference and the applicant does not find these steps in the Vancura reference. Consequently, it is respectfully submitted that the seven recited steps up to now unaccounted for in the Vancura reference define the present invention over the Vancura reference.

Claim 7 requires the following three steps of:

"wherein a symbol can be substituted by another

randomly determined symbol,"

"wherein upon reaching of a predetermined symbol combination or upon reaching of a predetermined credit balance in a credit balance counter disposed on the side of the control unit in the following a symbol combination is displayed with the symbol display device (2),"

"wherein the symbols can be renewed within a predetermined time window, until the winning carrying symbol combination is reached,".

The Office Action makes no showing where these three steps are present in the Vancura reference. The applicant is also not able to find these three steps of claim 7 in the Vancura reference. Consequently, it is believed that the three recited steps define the present invention patentably over the Vancura reference.

The Final Rejection then says that referring to Claim 2 & 8 a secondary machine (claim 1); a bonus qualifying signal, to play a bonus game on the secondary machine, when a predetermined combination of symbols is obtain (col. 18, lines 24-28); determining the winning values and accumulating winnings in the specific winning machine (claim 1).

Claim 2 requires the following steps:

"simultaneously switching the played entertainment automats (1) into a uniform game mode upon reaching of a predetermined symbol combination or upon reaching of a predetermined credit balance state of a common credit balance counter;"

"determining in a game mode the entertainment automat, which has reached the highest winning value within a time window predetermined by the control unit;"

"coordinating the winning value to that entertainment automat, which entertainment automat has reached the highest winning within the time limited game mode."

While the Final Rejection refers to playing a bonus game, the Final Rejection clearly fails to show, where the details of the requirements of the three recited steps of claim 2 can be found in the Vancura reference. Applicant believes that these three recited steps of claim 2 are clearly not taught in the Vancura reference. Consequently, it is submitted that claim 2 clearly defines the present invention over the art Vancura.

Claim 8 requires the following three steps of:

"wherein the played entertainment automats (1) are simultaneously switched into a uniform game mode upon

reaching of a predetermined symbol combination or upon reaching of a predetermined credit balance state of a common credit balance counter,"

" wherein in the game mode is determined at which entertainment automat (1) the highest winning value is reached within a time window predetermined by the control unit (7),"

"wherein the winning value is coordinated to that entertainment automat (1), which entertainment automat (1) has reached the highest winning within the time limited game mode".

While the Final Rejection alleges that "winnings are accumulated" according to Vancura, the clauses in claim 8 have completely different requirements. For example the second one of the three clauses requires "a time window predetermined by the control unit (7),". No such time window is seen in the Vancura reference.

The Final the states referring to Claim 4:

* a bonus qualifying event determined after the primary machine is activated (col. 3, lines 18-20 and col.4, lines 55-64).

Claim 8 in fact requires: "determining if a special symbol combination or a jackpot winning value has been

reached after inserting payment into the automatic entertainment automat."

Applicant urges that there is a patentable difference between "a bonus qualifying event determined after the primary machine is activated" according to Vancura and "determining if a special symbol combination or a jackpot winning value has been reached after inserting payment into the automatic entertainment automat."

Applicant urges that the step of reaching "a special symbol combination or a jackpot winning value" is clearly different from "determining a bonus qualifying event".

Applicant consequently submits that claim 4 defines the invention over the Vancura reference.

The Office Action then says: Referring to Claim 5 & 6

* a secondary machine (claim 1); the use a processor to facilitate all the functions of the primary (master) and secondary (slave) machines (see figure 50); a bonus/jackpot (claim 12); , collecting the game results of the secondary machine in the primary machine (col. 16, lines 62-67); that the primary machine can be used as a slot, poker or keno machine (col. 5, lines 14-20)

The rejection is respectfully traversed.

Claim 6 requires in particular a presence of the following nine steps:

"determining which one of the entertainment automats assumes a master function;"

"determining which one of the entertainment automats assumes a slave function;"

"determining if a jackpot filling level has reached a predetermined release amount;"

"starting a jackpot game at the entertainment automat performing the slave function;"

"waiting till the slave is ready;"

"activating the game time for the entertainment automats;"

"randomly drawing all cards;"

"determining if a game time has ended;"

"distributing of the game results to the slave entertainment automat by the master entertainment automat; calculating of the winning amount;"

"displaying the winning amount".

The Office Action clearly fails to show a presence of anyone of said nine steps. For example, the alleged "use

a processor to facilitate functions", the element "bonus/jackpot" or alleged different uses of the primary machine do not anticipate or render obvious the specific nine steps recited in claim 5.

Applicant urges that claim 5 is clearly allowable.

Claim 6 requires the following two steps:

"sending a readiness signal to the master entertainment automat;"

"waiting by the slave entertainment automat for an activation of the game time through the master entertainment automat".

Applicant respectfully submits that there is neither an allegation nor a showing in the Final Rejection that these specific steps are anywhere suggested in the Vancura reference.

Applicant respectfully urges withdrawal of the rejection of applicants claims under 35 U.S.C. 102.

The present amendment is intended to present claims which are deemed to be in better form for appeal. The present amendment is deemed to remove and/or simplify issues

which would otherwise require consideration in an appeal.

The present amendment is believed not to present any new issues since the claims are substantially based on previously presented claims and since such limitations had been individually submitted earlier and had been considered earlier.

It is submitted that the amendment is a bona fide attempt to advance the prosecution by amendments to the claims seeking to overcome rejections based on the applied prior art and/or rejections under 35 U.S.C. 112.

It is submitted that the present amendment complies with observations made in the Final Rejection.

Reconsideration of all outstanding rejections is respectfully requested.


It is believed that in view of the above amendments a personal interview would be beneficial in the above application to place the application in condition for allowance in case there should be any remaining questions. The granting of such interview is respectfully requested.

Entry of the present amendment is respectfully requested. All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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